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October 20, 2015

**VIA ECF**

Honorable Susan Richard Nelson  
United States District Court Judge  
District of Minnesota  
774 Federal Building  
316 N. Robert Street  
St. Paul, MN 55101

Hon. Hildy Bowbeer  
United States Magistrate Judge  
District of Minnesota  
632 Federal Building  
316 N. Robert Street  
St. Paul, MN 55101

Re: ***In Re RFC and ResCap Liquidating Trust Litigation, No. 13-cv-3451 (SRN/JJK/HB)***

Your Honors:

We write on behalf of the parties with an update regarding Joint Agenda item 3(b)—Deposition Protocol (ECF No. 981). As identified on the Joint Agenda, the parties had intended to submit a finalized Joint Deposition Protocol today. The parties have been diligently meeting and conferring to that end and have reached agreement or near-agreement on many provisions of the protocol. However, the parties have not reached agreement on a handful of provisions due to outstanding disputes that are set forth in the parties' letter submissions, (*see* ECF Nos. 971, 973). Resolution by the Court of these disputed deposition issues should narrow or resolve the outstanding disputes regarding the Joint Deposition Protocol. The parties believe they can reach agreement and submit a Joint Deposition Protocol by no later than October 30, 2015. The parties are prepared to discuss this issue at the October 22, 2015 status conference.

Respectfully submitted,

/s/Danielle L. Gilmore

Danielle L. Gilmore